

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

AUSTIN CARTER,)
)
 Plaintiff,)) No. 1-15-00090
 v.)) Senior Judge Haynes
)
 CORRECTIONS CORPORATION OF)
 AMERICA, et al.,)
)
 Defendants.))

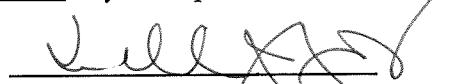
O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Docket Entry No. 112) recommending to grant the partial motion to dismiss (Docket Entry No. 62) filed by Defendants Corrections Corporation of America ("CCA"), Cherry Lindamood, Danny Dodd, Christopher McClain, Robert Cobble, Bill Morgan, Katherine Buttram, and Dewell Jamerson, Jr. The Magistrate Judge recommends that: (1) Morgan be dismissed as a Defendant; (2) Jamerson be dismissed as a Defendant; (3) the official capacity claims against the CCA employees be dismissed; (4) the claims that are barred by the applicable one year statute of limitations be dismissed; (5) CCA cannot be held liable on the basis of respondeat superior; and (6) Plaintiff's state law claims of intentional infliction of emotional distress, assault and battery, official oppression, and medical malpractice be dismissed. Plaintiff has not filed an objection.

After de novo review, the Report and Recommendation is **ADOPTED**, and Defendants' partial motion to dismiss (Docket Entry No. 62) is **GRANTED**. Plaintiff's claims against Defendants Morgan and Jamerson are **DISMISSED with prejudice**, and these Defendants are **DISMISSED** from this action.

It is so ORDERED.

ENTERED this the 26 day of September, 2016.


WILLIAM J. HAYNES, JR.
Senior United States District Judge